

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1419
By: West
Education
4-3-97
Committee Report (Substituted)

DIGEST

Currently, the *Hopwood* case and a recent attorney general's opinion ruled that race could no longer be a factor in higher education decisions of admissions, scholarships, fellowships, and internships. This bill would attempt to maintain or increase the admissions, retention, and graduation rates of public institutions in light of *Hopwood* through admissions policies for first-year freshman applicants. This bill also sets up a three-tier admissions policy structure.

PURPOSE

As proposed, C.S.S.B. 1419 sets forth certain admissions policies for general academic teaching institutions.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Higher Coordinating Education Board in SECTION 1 (Section 51.805, Education Code) and to a general academic teaching institution in SECTION 1 (Sections 51.808 and 51.809, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51, Education Code, by adding Subchapter S, as follows:

SUBCHAPTER S. UNIFORM ADMISSION POLICY

Sec. 51.801. DEFINITIONS. Defines "general academic teaching institution" and "medical and dental unit."

Sec. 51.802. ADMISSION POLICIES. Requires a general academic teaching institution (institution) to admit first-time freshman students for each semester under the provisions of this subchapter.

Sec. 51.803. ADMISSION CATEGORIES. (a) Requires each institution to admit an applicant for admission to the institution as an undergraduate student only under one of the categories for admission described by this section.

(b) Authorizes up to 50 percent of all offers made by an institution for admission to the institution to be made to applicants selected under an admissions policy that takes into consideration the application's academic class standing in the applicant's high school graduating class, the applicant's standardized test scores, and other indices traditionally used by institutions in admitting applicants.

(c) Provides that an application is automatically eligible for admission to an institution under Subsection (b) if the applicant graduated from a public or private high school in this state accredited by a generally recognized accrediting organization with a grade point average in the top 10 percent of the high school's graduating class, if the applicant satisfies certain other qualifications. Authorizes an institution to offer admission to a student described in this subsection in either the fall or spring semester or summer session of the institution. Provides that an institution is not required to make offers of admission to

students described in this subsection in an amount exceeding 50 percent of the offers of admission made by the institution as prescribed in Subsection (b) of this section.

(d) Requires at least 40 percent of all offers made by an institution for admission to the institution to be made to applicants selected under an admissions policy that, in addition to the applicant's academic class standing, takes into consideration certain economic or educational factors.

(e) Authorizes up to 10 percent of all offers made by an institution for admission to the institution to be made to applicants selected under an admissions policy that takes into consideration the institution's desire to admit applicants who show a potential to succeed, who will contribute to the academic community at the institution, or who the institution determines can help the institution further its mission or help the state meet the challenges it faces in the future. Authorizes the institution to utilize personal interviews in determining which applicants will be offered admission under this subsection.

(f) Requires each general academic teaching institution to publish in its catalogue and have available for the public a copy of its admission policy adopted under this subchapter.

(g) Provides that this section does not apply to an institution possessing certain characteristics.

Sec. 51.804. REPORT TO COORDINATING BOARD. Requires each general academic teaching institution, except those institutions exempted under Section 51.803(g), to provide an annual report to the Texas Higher Education Coordinating Board (board) describing the composition of freshman students admitted under this subsection. Requires the board to establish certain reporting requirements under this section.

Sec. 51.805. RULEMAKING. Requires the board to adopt rules relating to admissions policies and procedures under this subchapter.

Sec. 51.806. ENRICHMENT AND RETENTION PROGRAMS. Requires an institution to evaluate each application to determine if the application is likely to benefit from participation in an enrichment or retention program. Requires an institution to develop enrichment and retention programs for students. Provides that such programs may include, but are not limited to, course-based programs, individual counseling, peer counseling, tutoring, mentoring, summer pre-admission, or self-help programs.

Sec. 51.807. OUTREACH PROGRAMS. Requires each institution of higher education to develop programs designed to expand outreach efforts to middle schools and high schools in order to increase the number of high school students who are prepared to pursue higher education.

Sec. 51.808. TRANSFER STUDENTS. Requires each general academic teaching institution to adopt a written policy for the admission of undergraduate transfer students to the institution.

Sec. 51.809. GRADUATE AND PROFESSIONAL PROGRAMS. Requires each general academic teaching institution or medical and dental unit that offers admission to a graduate or postgraduate program, including a graduate or postgraduate professional program, to adopt a written admission policy for the program describing the factors considered by the institution or unit in making offers of admission to the program.

SECTION 2. Provides that this Act applies beginning with admissions for the fall term or semester in 1998. Requires the governing board of each general academic teaching institution and each medical and dental unit covered by this subchapter to adopt rules or policies relating to the admission of students under Chapter 51S, Education Code, as added by this Act, not later than September 1, 1997. Requires the board to adopt reporting rules under Section 51.804 of this Act no later than January 1, 1998.

SECTION 3. Emergency clause.
Effective date: 90 days after adjournment.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 51.803(g), Education Code, to provide that this section does not apply to an institution that requires high school graduation or passage of the General Educational Development examination and performs certain other functions.

Amends Section 51.804, Education Code, to set forth certain exceptions to a requirement of a general academic teaching institution under this section. Requires the board to establish certain reporting requirements of applicants and of those offered admission to each institution and of those enrolled in each institution.

Amends Section 51.806, Education Code, to require an institution to evaluate each applicant and to determine if the applicant is likely to benefit, rather than will benefit, from participation in certain programs.

Makes nonsubstantive changes throughout this Act.